

§102 Rejection of the Claims

Claims 4, 5, 11-13 and 15-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Li et al. (U.S. 5,058,132). Claim 11 was also rejected under 35 U.S.C. § 102(b) as being anticipated by Fujii (U.S. 5,315,269).

An amendment to claim 4 has been proposed to clarify the claim to state that the clock signals from the stages of the multi-stage counter are phase displaced from the phase of the input signal “by a fixed amount”. Adding that feature to claim 4 is believed to bring it within the Examiner’s Statement of Reasons for Allowance at Paragraphs 7 and 8 of the Office Action. Entry of the proposed amendment and reconsideration and allowance of the amended claim 4 and its dependent claim 5 is respectfully requested.

An amendment to claim 11 has been proposed to add the feature that the output signals are “phase shifted from the first clock signal by a fixed angular increment” bring it within the Examiner’s Statement of Reasons for Allowance at Paragraphs 7 and 8 of the Office Action. Entry of the proposed amendment and reconsideration and allowance of the amended claim 11 and its dependent claim 12 is respectfully requested.

Amendments to claims 15 through 17 have been proposed to make them dependent from allowable claim 14 (See Allowable Subject Matter below).

Allowable Subject Matter

Claims 14 and 19 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the proposed amendment, claim 14 has been rewritten in independent form with all of the features base claim 13 included. Since the amendment of the claim complies with the requirements for allowability of Paragraph 6 of the Office Action, entry of the proposed amendment and allowance of the claim is respectfully requested.

Claim 19 depends from allowed claim 9 and is therefore believed to be allowable for the same reasons as claim 9. Reconsideration and allowance of claim 19 is respectfully requested.

AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116 - EXPEDITED PROCEDURE

Serial Number: 09/751,610

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Title: PRECISION PHASE GENERATOR

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Dkt: H16-26054 (256.058US1)

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6970) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

WILLIAM A. HARRIS

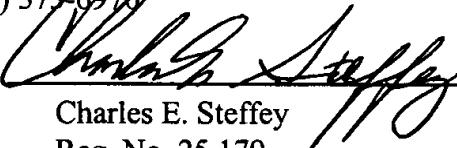
By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6970

Date

July 30 2002

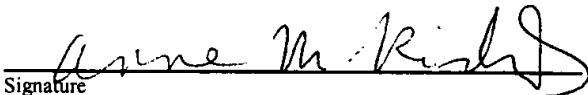
By


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Box AF, Commissioner of Patents, Washington, D.C. 20231, on this 30 day of July, 2002.

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